

RÉPUBLIQUE
DE
VANUATU

JOURNAL OFFICIEL



REPUBLIC
OF
VANUATU

OFFICIAL GAZETTE

7 MARS 1994

NO. 6

7 MARCH 1994

SONT PUBLIES LES TEXTES SUIVANTS

ARRETES

ARRETE NO. 6 DE 1994 SUR
L'ADMINISTRATION DE PRISON
(LIBERATION CONDITIONNELLE).

NOTIFICATION OF PUBLICATION

ORDERS

THE PRISONERS (RELEASE ON
LICENCE) ORDER NO. 6 OF 1994.

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ATTESTATION DE L'ELECTION DU
PRÉSIDENT DE LA RÉPUBLIQUE.

SERMENT PRESIDENTIEL.

PUBLICATION OF RESULT OF THE
ELECTION OF THE PRESIDENT OF
THE REPUBLIC.

CERTIFICATE OF ELECTION OF THE
PRESIDENT OF THE REPUBLIC.

PRESIDENTIAL OATH.

RECEIVED

11 MAR 1994

Ans'd

REPUBLIC OF VANUATU

CHAPTER 20

THE PRISONERS (RELEASE ON LICENCE)
ORDER NO. 6 OF 1994

An Order to provide for the release of Prisoner TOM TARI.

IN EXERCISE of the powers conferred by section 30 of the Prisons (Administration) Act [CAP. 20], I, MAXIME CARLOT KORMAN, Prime Minister and Minister responsible for prisons, HEREBY MAKE the following Order :-

RELEASE OF PRISONER ON LICENCE

1. TOM TARI who is currently being held in custody as a prisoner, shall be set free and released from prison on the 4th day of March, 1994 SUBJECT TO THE TERMS AND CONDITIONS set out in sections 2 and 3 of this Order.

TERMS AND CONDITIONS OF RELEASE

2. The following terms and conditions shall apply :
- (a) TOM TARI shall keep the peace and be of good behaviour for a period commencing on the day of his release being 4th day of March, 1994 and ending on the 13th day of January, 1996, which period is hereinafter called "the relevant period".
 - (b) In the event that TOM TARI should commit a criminal offence during the relevant period, whether or not the offence is of a similar nature as that for which TOM TARI's original prison sentence was ordered by the Court or, the Court before which TOM TARI appears for such new offence orders a prison sentence, TOM TARI shall automatically be recalled and returned to prison.

**PROCEDURES RELATING TO VIOLATIONS OF CONDITIONS OF RELEASE,
RECALL TO PRISON, ETC.**

3. In every case where the provisions of paragraph (b) of section 2 apply, the following procedures shall apply :
- (a) Where the Minister is satisfied that TOM TARI has violated the terms and conditions set out in section 2, the Minister shall issue a Notice in writing directing that TOM TARI is returned to custody forthwith;

- (b) A Notice issued by the Minister shall be served on TOM TARI directing him to return to prison at such time and on such day as specified in the Notice;
- (c) TOM TARI when returned to prison in accordance with this section shall be obliged to serve the unexpired term of his original sentence which he would have had to serve if he had not been released in accordance with this Order;
- (d) TOM TARI when returned to prison in accordance with this section is not entitled to have part of his original unexpired term of sentence remitted.

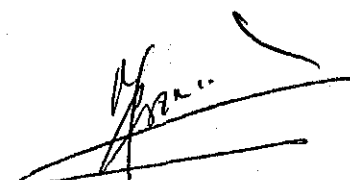
COMMISSIONER OF POLICE AND SUPERINTENDENT OF PRISONS TO ENFORCE DIRECTIONS OF THE MINISTER

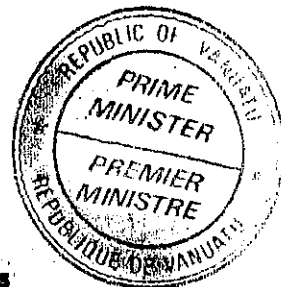
4. The Commissioner of Police and the Superintendent of Prisons shall take all lawful measures required or necessary to enforce every direction or notice issued by the Minister under this Order.

COMMENCEMENT

5. This Order shall come into force on the 4th day of March, 1994.

MADE at PORT VILA, this 4th day of March, 1994.


MAXIME CARLOT KORMAN
Prime Minister and
Minister responsible for Prisons



REPUBLIQUE DE VANUATU

CAP. 20*

ARRETE NO. 6 DE 1994 SUR L'ADMINISTRATION DE PRISON
(LIBERATION CONDITIONNELLE)

Portant libération du prisonnier TOM TARI,

LE MINISTRE DE L'INTERIEUR ET MINISTRE RESPONSABLE DES PRISONS

VU les pouvoirs que lui confère l'article 30 de la Loi sur l'administration des prisons (CAP. 20)

A R R E T E :

LIBERATION CONDITIONNELLE

1. TOM TARI, actuellement incarcéré sera libéré sous conditions et sortira de prison le 28 février 1994 SOUS RESERVE DES TERMES ET CONDITIONS prévus aux articles 2 et 3 du présent arrêté.

TERMES ET CONDITIONS DE LIBERATION

2. Les termes et conditions suivants doivent être observés :
 - a) TOM TARI doit s'abstenir de toute conduite nuisible à l'ordre public pendant la période dite "de référence", commençant le 28 février 1994, jour de sa libération et se terminant le 13 janvier 1996 ;
 - b) Au cas où TOM TARI commet une infraction pénale au cours de la période de référence, qu'il s'agisse ou non de récidive, ou que le tribunal qui le juge le condamne alors à une sentence d'emprisonnement, il perd automatiquement son droit à la liberté et doit être réincarcéré.

PROCEDURES CONCERNANT LES VIOLATION DES CONDITIONS DE LIBERATION, REINCARCERATION, ETC.

3. En cas de situation donnant lieu à l'application du paragraphe b) de l'article 2, il faut prendre les mesures suivantes :

* Réf. au texte français de art. 31A du R.C. 6/1945 modifié.

- a) Lorsque le Ministre constate que TOM TARI a enfreint les termes et conditions prévus à l'article 2, il ordonne par écrit sa réincarcération immédiate.
- b) L'avis du Ministre est signifié à TOM TARI avec ordre de retourner à la prison à l'heure et au jour spécifiés dans ledit avis.
- c) Réincarcéré conformément au présent article, TOM TARI est tenu de purger la période de sa sentence dont l'avait dispensé sa libération conditionnelle accordée par le présent arrêté ;
- d) Réincarcéré conformément au présent article, TOM TARI n'a pas droit à la remise d'une partie de sa sentence initiale non expirée.

RESPONSABILITE DU COMMISSAIRE DE POLICE ET DU DIRECTEUR GENERAL DES PRISONS

4. Le Commissaire de police et le Directeur général des prisons doivent prendre toutes les mesures légales qui s'imposent pour la bonne exécution des directives ou avis émis par le Ministre sous l'autorité du présent arrêté.

ENTREE EN VIGUEUR

5. Le présent arrêté est réputé en vigueur le 28 février 1994.

FAIT à Port-Vila le 28 février 1994.

**Le ministre de l'Intérieur et Ministre
responsable des prisons**

CHARLIE NAKO

REPUBLIC OF VANUATU

ELECTORAL COMMISSION

CHAPTER 104

PUBLICATION OF RESULT OF THE ELECTION
OF THE PRESIDENT OF THE REPUBLIC

WHEREAS there was a vacancy in the office of the President of the Republic since 31st January, 1994;

WHEREAS the Electoral College after being duly constituted, met at Parliament House at Port Vila on 2nd day of March 1994 at 9.00 o'clock in the morning to elect the President of the Republic;

WHEREAS the Electoral College did sit and did elect the President of the Republic on the 2nd day of March 1994;

WHEREAS the Chief Justice on 2nd March 1994 notified the Electoral Commission of the name of the person elected as the President of the Republic pursuant to section 12 (1) of the Election of the President act (cap 104).

NOW THEREFORE IN EXERCISE OF the powers conferred by section 12 (2) OF THE Election of the President act (cap 104), the ELECTORAL COMMISSION HEREBY PUBLISHES the result of the election as follows:

- (a) The Particulars of the election are as follow;
- (b) The President of the Republic of VANUATU is JEAN MARIE LEYE

THE ELECTORAL COLLEGE

MEMBERS PRESENT: 55
MEMBER ABSENT: 1
BALLOTS CAST: 55
NUMBER OF SPOILT VOTE: 9


BALLOTING

GEORGE KALTOI KALSAKAU	0
JACK KALO NIAL	0
JEAN MARIE LEYE	41
FATHER JOHN BERNARD BANI	5
KAVCOR WASS	0
FATHER LUKE TITINSOM DINI	0
PASTOR REUBEN MAKIKON	0
RUSTEN JOHNWAYN MORRIS TARILAMA	0


TOTAL: 46

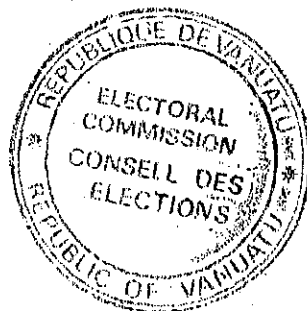
(c) The Certificate of Election of the President of the Republic is annexed hereto.

MADE at Port Vila this 2nd day of March, 1994.


MASING R. LAURU
CHAIRMAN


PAUL MASONGO
MEMBER


EMILIANO BULETARE
MEMBER





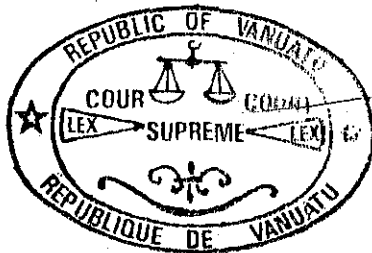
**ATTESTATION DE L'ELECTION
DU PRESIDENT DE LA REPUBLIQUE**

AU: CONSEIL DES ELECTIONS

Je soussigné, certifie que le Mardi 2 Mars 1994
Son Excellence Monsieur Jean Marie LIYE
a été élu à la Présidence de la République conformément aux Articles de la
Constitution.

FAIT à Port Vila le 2 Mars 1994

Charles d'Imecourt
CHARLES VAUDIN d'IMECOURT
Président de la Cour Suprême



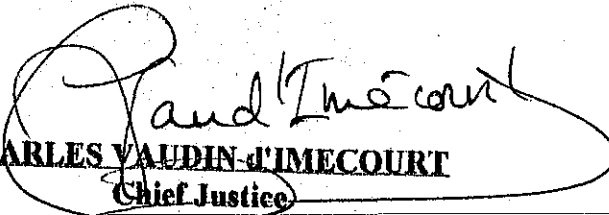


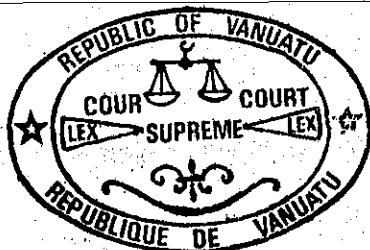
**CERTIFICATE OF ELECTION
OF THE PRESIDENT OF THE REPUBLIC**

TO: The Electoral Commission

I HEREBY CERTIFY that His Excellency Mr Jean Marie
LEYE was on the Second
day of March 1994 elected President of the Republic in accordance
with the requirements of the Constitution.

DATED this Second day of March 1994


CHARLES VAUDIN-D'IMECOURT
Chief Justice





PRESIDENTIAL OATH

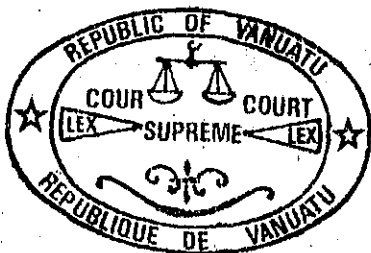
I, Jean Marie Leye having been duly elected President of the Republic of Vanuatu **SWEAR BY ALMIGHTY GOD** that I will uphold and defend the Constitution and protect the rights of all people in the Republic of Vanuatu without fear or favour.

SO HELP ME GOD.

SWORN ON THE 2nd DAY OF March 1994

Signed [Signature]
PRESIDENT OF THE REPUBLIC

Signed [Signature]
CHIEF JUSTICE





SERMENT PRESIDENTIEL

NOUS, Jean Marie LEYE ayant été élu a la Présidence de la République de Vanuatu prêtons serment par devant Dieu de maintenir et de défendre la Constitution et de protéger le droit de tous en la République de Vanuatu sans peur ni distinction de personnes.

QUE DIEU ME SOIT EN AIDE.

ASSERMENTE LE Mercredi 2 mars 1994

[Signature]
PRESIDENT DE LA REPUBLIQUE

[Signature]
PRESIDENT DE LA COUR SUPREME

